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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ANGELA CUMMINGS,

Plaintiff,

v.

VALLEY HEALTH SYSTEM, LLC,  
*et al.*,

Defendants.

Case No. 13-cv-00479-APG-GWF

**ORDER REJECTING PROPOSED JOINT PRE-  
TRIAL ORDER**

(Dkt. No. 113)

The parties' proposed Joint Pretrial Order (ECF No. 113) does not comply with Local Rules 16-3 and 16-4. For example, in their respective exhibit lists, each party "reserves the right to use at trial any document produced in this case by any other party, including, but not limited to, the following . . . ." ECF No. 113 at 6. The plaintiff then lists only three specific exhibits, along with vague descriptions of other potential exhibits, including "[a]ny answers to written discovery requests," "[a]ny documents used as exhibits in any depositions," and "any other document . . . that has been produced by any party in the case." *Id.* The defendants' exhibit list is similarly vague. Local Rule 16-3(b)(8) requires parties to list their trial exhibits, rather than reserving their rights or vaguely referring to "any exhibits." Such vague, broad designations of exhibits make it impossible for the other party to object, as proven by the fact that neither party states the grounds for any objections to the other side's exhibits, as required by Local Rule 16-3(b)(8)(B).

In her list of witnesses, the plaintiff "reserves the right to call any witness listed by Defendants below [and] any other witness disclosed in the case," which violates Local Rule 16-3(b)(12). The proposed Order is replete with additional inadequacies; I will not waste my time cataloguing those for the parties.

Local Rule 16-3 requires the parties to personally discuss these and other issues. The requirements set forth in Local Rules 16-3 and 16-4 are designed to streamline the trial preparation and presentation, and to foster settlement. The parties cannot simply wait to make

1 trial decisions until the eve of trial. If they do, they cannot fully participate in settlement  
2 discussions. It is apparent from the proposed Joint Pretrial Order that the parties either ignored  
3 Local Rule 16-3, or did not properly conduct the required conference in the spirit of the rule.

4 Accordingly,

5 IT IS ORDERED that the parties' Joint Pretrial Order (**ECF No. 113**) is **REJECTED**.  
6 The parties shall personally confer as required in Local Rule 16-3, and submit a Joint Pretrial  
7 Order that complies with Local Rule 16-4 within 21 days of entry of this Order.

8 DATED this 9th day of January, 2018.



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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE